

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN DOE, et al.,

Plaintiffs,

v.

MOUNT VERNON CITY SCHOOL
DISTRICT BOARD OF EDUCATION, et al.,

Defendants.

Case No. 2:08 CV 575

Judge Frost

Magistrate Judge King

DECLARATION OF JENIFER DENNIS

Jenifer Dennis, pursuant to 28 U.S.C. § 1746, declares as follows:

1. My name is Jenifer Dennis. I am the mother of Zachary Dennis (“Zach”), am over the age of 18, and have personal knowledge of the events described in this declaration.
2. During the 2007-2008 school year, Zach was an eighth grade student at Mount Vernon Middle School. His science teacher was John Freshwater.
3. After spending some time at a neighbor’s house, Zach came home from school on December 6, 2007 and showed me a mark on his forearm. He told me that Mr. Freshwater made the mark during science class using a machine that creates a “lightening bolt” when you plug it into a wall and push a button. I now know that the machine Zach was describing is called a Tesla coil.
4. The mark on Zach’s arm consisted of several red welts that formed the shape of a cross. Upon seeing the mark on my son’s arm, I became very concerned. I was in a rush to get Zach dressed for hockey practice, so we did not have any further conversations about Zach’s arm at that time.

5. On December 6, 2007, shortly after Zach returned home, Zach and my husband, Stephen Dennis ("Steve"), drove up to Cleveland for Zach's hockey practice. At around 11:30 p.m., Zach and Steve returned from hockey practice and we tried to put Zach to bed. He woke up crying because his arm was hurting. I gave him some Tylenol or another pain killer, and put a cold washcloth on his arm. Steve and I also took pictures of the mark on Zach's arm.

6. Attached to this Declaration are true and accurate copies of two of the photographs of Zach's arm that we took after he returned from hockey practice.

7. The mark on Zach's arm disappeared after several weeks.

8. Worried about Zach's safety and the safety of other students in Mr. Freshwater's class, Steve and I went to speak about what happened to Zach with Stephen Short, the Superintendent of the Mount Vernon City School District, on December 7, 2007. We wanted to find out more details about what happened to our son, and to find out from the school what device Mr. Freshwater had used to make the mark on Zach's arm.

9. During that meeting, we asked Mr. Short to investigate the incident and to make sure that the same thing did not happen to Zach or any other students in the future.

10. We told Mr. Short that we wanted to keep the matter private. We did not report the incident to the police. We emphasized that we wanted to remain anonymous throughout any investigation that took place in order to protect our son. Our goal was to ensure that Zach and other Mount Vernon students did not suffer additional harm.

11. While school officials investigated the Tesla coil incident, we came to learn of other unusual activities taking place in Mr. Freshwater's classroom. We discovered, among other things, that Mr. Freshwater had been teaching religion during science class, and that

Mr. Freshwater had a number of religious displays posted in his classroom, including multiple copies of the Ten Commandments. We also found out that Mr. Freshwater kept a collection of Bibles in the back corner of his room. We raised these new concerns and others with school officials and again asked that they keep our names quiet to protect Zach, who had to remain in school and in Mr. Freshwater's science class.

12. Despite our request to remain anonymous, Mount Vernon Middle School Principal William White disclosed our names to Mr. Freshwater on April 7, 2008.

13. After repeated discussions with school officials, the situation with Mr. Freshwater still had not been handled to our satisfaction. On June 13, 2008, we filed a lawsuit in the United States District Court for the Southern District of Ohio against the Mount Vernon City School District Board, Stephen Short, William White, and Mr. Freshwater. We settled our claims against the School Board, Short and White on October 1, 2009.

14. We acted in good faith when we filed the lawsuit. We filed it solely to protect Zach and other Mount Vernon students from future harm. We did not file the lawsuit to try to harass or embarrass Mr. Freshwater, or to cause him emotional distress.

15. I firmly believed at the time we filed the lawsuit, and continue to believe today, that all of the allegations we made in our First Amended Complaint that we filed in this lawsuit are true.

16. Once our names and the facts surrounding this lawsuit became public we received numerous requests from reporters for interviews. We repeatedly turned down those requests because we wanted to keep this matter as private as possible. We also did not rally members of the Mount Vernon community for support. The first time that we made our side of the story public was on June 13, 2008 when we filed the federal lawsuit.

17. I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 16, 2009.

/s/Jennifer Dennis
Jenifer Dennis

EXHIBIT 1



EXHIBIT 2

